

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANNE M. PRONTI,

Plaintiff,

SCHEDULING ORDER

02-CV-6309L

V.

JO ANNE B. BARNHART, as Commissioner
of the Social Security Administration,

Defendant.

CURTIS L. BALLARD,

Plaintiff,

03-CV-6090L

V.

JO ANNE B. BARNHART, as Commissioner
of the Social Security Administration,

Defendant.

KIMOTHY ZIMMERMAN,

Plaintiff,

V.

03-CV-6664L

JO ANNE B. BARNHART, as Commissioner
of the Social Security Administration,

Defendant.

These cases, and others, were remanded to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g) in accordance with this Court's Decision and Order of September 13, 2004. Now, by motion filed October 4, 2005, plaintiffs in *Pronti, Ballard* and *Zimmerman* move for this Court to resume jurisdiction of the case, to proceed with discovery and prosecution of the claims in the complaints.

The Commissioner is directed to respond to plaintiffs' motion on or before November 14, 2005, which response should also include the status of the bias investigation directed by this Court's remand over one year ago. Plaintiffs may have an additional week, until November 21, 2005, within which to reply.

IT IS SO ORDERED.



DAVID G. LARIMER
UNITED STATES DISTRICT JUDGE

Dated: Rochester, New York
October 25, 2005.